

# Buchanan Ingersoll & Rooney PC

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June 26, 2020

## VIA CM/ECF

The Honorable Leonard P. Stark  
Chief U.S. District Judge, District of Delaware  
J. Caleb Boggs Federal Building  
844 N. King Street  
Unit 26, Room 6124  
Wilmington, DE 19801-3555

Re: Xcoal Energy & Resources v. Bluestone Energy Sales Corporation, et al.,  
Case No. 18-819-LPS

Dear Chief Judge Stark:

The parties have met and conferred and submit this joint status report pursuant to your Oral Order of earlier this week (D.I. 83). The parties appreciate the opportunity extended to them to provide input.

With respect to the specific issue raised concerning possible conversion of the bench trial in this matter scheduled to begin on August 25th, the parties view conversion to a partial-remote bench trial, as outlined in the Oral Order, to be appropriate and with each side in its discretion permitted to have a limited number of lawyers/party representatives present in the courtroom and to call one of its witnesses to testify in person in the courtroom if such individuals could safely do so at the time of trial.

As to status more generally, the parties report as a matter of information that they are scheduled to resubmit by next Tuesday, June 30th, their prior Proposed Final Pretrial Order in accordance with Your Honor's February 21, 2020 Stipulation and Order Rescheduling Trial (D.I. 78).

Thank you.

Sincerely yours,

*/s/ Geoffrey G. Grivner*

Geoffrey G. Grivner (#4711)

GGG/

cc: All Counsel of Record via ECF  
Jason E. Pepe, Esq.

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